UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,099	08/21/2003	Jeff Scott Eder	VM-55	7276

			EXAMINER
53787	7590	09/26/2006	GRAHAM, CLEMENT B

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ART UNIT	PAPER NUMBER
3628	

DATE MAILED: 09/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>29 December 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>2548-</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>25-48</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 25-48, are rejected under 35 U.S.C. 102(e) as being anticipated by Sandretto U.S. Patent 5, 812, 988.

As per claim 25, Sandretto discloses a finance method, comprising:

integrating data from organization transaction databases in accordance with a common schema for an organization with one or more enterprises; and

developing a model that identifies a net contribution of one or more elements of value to an organization share price by category of value where the categories of value are selected from the group consisting of current operation, real options, market sentiment and combinations thereof by using at least a portion of the data.(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 26, Sandretto discloses where the elements of value are selected from the group consisting of alliances, brands, channels, customers, customer relationships, employees, employee relationships, equipment intellectual property, partnerships, processes, supply chains, vendors, vendor relationships and combinations thereof.(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 27, Sandretto discloses where developing a model that identifies a net contribution of one or more elements of value to an organization share price value by category of value further comprises:

creating performance indicators for each element of value using at least a portion of the data, training models of historical and forecast data for one or more aspects of financial performance using said indicators to identify value driver candidates by element of value

by enterprise, analyzing historical and forecast data for one or more aspects of financial performance using induction algorithms and said value driver candidates to identify value drivers and create element impact summaries by enterprise, and using said element impact summaries to quantify a contribution of each of one or more elements of value to an organization share price value by category of value by enterprise. .(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 28, Sandretto discloses where the aspects of financial performance are selected from the group consisting of revenue, expense, capital change, market value and combinations thereof. .(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 29, Sandretto discloses where the contribution of an element of value to a category of value is the net contribution of the element to the category of value and the other elements of value. .(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 30, Sandretto discloses further comprises using the organization share price model to complete activities from the group consisting of identifying changes to one or more element value drivers that will optimize one or more aspects of organization financial performance, identifying the impact of value driver changes on one or more aspects of organization financial performance in an interactive manner, reporting organization market and share price value by element of value, reporting organization market and share price value by category of value, identifying a price point for trading organization shares and combinations thereof. .(Note abstract see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 31, Sandretto discloses where organization transaction databases are selected from the group consisting of advanced financial system databases, basic financial system databases, alliance management system databases, brand management system databases, business intelligence system databases, customer relationship management system databases, channel management system databases, estimating system databases, intellectual property management system databases, process

management system databases.(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67) supply chain management system databases, vendor management system databases, operation management system databases, enterprise resource planning systems (ERP), material requirement planning systems (MRP), quality control system databases, sales management system databases, human resource system databases, accounts receivable system databases, accounts payable system databases, capital asset system databases, inventory system databases, invoicing system databases, payroll system databases, purchasing system databases, web site system databases, the Internet, external databases, user input and combinations thereof. .(Note abstract and see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 32, Sandretto discloses where a transaction is any event that is logged or recorded. .(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 33, Sandretto discloses a computer readable medium having sequences of instructions stored therein, which when executed cause a processor to perform a learning method, comprising: integrating data from organization transaction databases in accordance with a common schema for an organization with one or more enterprises.(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67) and quantifying a net impact of each of one or more elements of value on a value of a business where the elements of value are selected from the group consisting of alliances, brands, channels, customers, customer relationships, employees, employee relationships, equipment intellectual property, partnerships, processes, supply chains, vendors, vendor relationships and combinations thereof by learning from at least a portion of the data. .(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 34, Sandretto discloses where quantifying a net impact of one or more elements of value on a value of a business further comprises:
creating performance indicators for each element of value using at least a portion of the data, evolving models of historical and forecast data for one or more aspects of financial

performance using said indicators to learn which indicators are value driver candidates by enterprise, evolving induction models of historical and forecast data for one or more aspects of enterprise financial performance using said candidates to learn which indicators are value driver candidates while creating element impact summaries from said value drivers, and using said element impact summaries to quantify a contribution of each of one or more elements of value to a value of the business by enterprise.(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 35, Sandretto discloses where the contribution of each of one or more elements of value to a value of a business is segmented by category of value where the categories of value are selected from the group consisting of current operation, real options, market sentiment and combinations thereof. .(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67) As per claim 36, Sandretto discloses where the aspects of financial performance are selected from the group consisting of revenue, expense, capital change, market value and combinations thereof.(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 37, Sandretto discloses where genetic algorithms are used to evolve the models.(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 38, Sandretto discloses where learning from the data further comprises activities selected from the group consisting of identifying previously unknown value drivers, identifying previously unknown relationships between elements of value, identifying previously unknown relationships between element value drivers and combinations thereof. .(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 39, Sandretto discloses where the impact of an element of value on the value of the business is the net impact of the element on the business and the other elements of value. .(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 40, Sandretto discloses where the method further comprises using the net element impact information to support activities from the group consisting of identifying changes to one or more element value drivers that will optimize one or more aspects of organization financial performance, identifying the impact of value driver changes on one or more aspects of organization financial performance in an interactive manner, reporting organization market and share price value by element of value, reporting organization market and share price value by category of value, identifying a price point for trading organization shares and combinations thereof. (see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 41, Sandretto discloses an element system, comprising.
networked computers each with a processor having circuitry to execute instructions; a storage device available to each processor with sequences of instructions stored therein, which when executed cause the processors to:
use data from organization transaction databases to identify the value of each of one or more elements of value to an organization.(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67)

As per claim 42, Sandretto discloses where the elements of value are selected from the group consisting of alliances, brands, channels, customers, customer relationships, employees, employee relationships, equipment, intellectual property, partnerships, processes, supply chains, vendors, vendor relationships and combinations thereof. .(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 43, Sandretto discloses where an organization is a single product, a group of products, a division, a company, a multi-company corporation or a value chain. .(Note abstract and see column 2 lines 15-59 and column 3-6 and 23 lines 40-65 and column 24-26 lines 1-67 and column 27-28 lines 1-40).

As per claim 44, Sandretto discloses where organization transaction databases are selected from the group consisting of advanced financial system databases, basic financial system databases, alliance management system databases, brand management

system databases, business intelligence system databases, customer relationship management system databases..(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67) channel management system databases, estimating system databases, intellectual property management system databases, process management system databases, supply chain management system databases, vendor management system databases, operation management system databases, enterprise resource planning systems (ERP), material requirement planning systems (MRP), quality control system databases, sales management system databases, human resource system databases, accounts receivable system databases, accounts payable system databases, capital asset system databases, inventory system databases, invoicing system databases, payroll system databases, purchasing system databases, web site system databases, the Internet, external databases, user input and combinations thereof. .(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 45, Sandretto discloses where the value of each of one or more elements of value to an organization is segmented by category of value where the categories of value are selected from the group consisting of current operation, real options, market sentiment and combinations thereof and enterprise where an enterprise is a single product, a group of products, a division or a company. .(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 46, Sandretto discloses where a transaction is any event that is logged or recorded. .(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 47, Sandretto discloses where identifying the value of one or more elements of value to an organization further comprises:
creating performance indicators for each element of value using at least a portion of the data, training models of historical and forecast data for one or more aspects of financial performance using said indicators to identify value driver candidates by element of value by enterprise .(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39

lines 52-67 and column 40 lines 1-67) analyzing historical and forecast data for one or more aspects of financial performance using induction algorithms and said value driver candidates to identify value drivers and create element impact summaries by enterprise, and using said element impact summaries to quantify a contribution of each of one or more elements of value to an organization value by category of value by enterprise. .(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

As per claim 48, Sandretto discloses where the aspects of financial performance are selected from the group consisting of revenue, expense, capital change, real options, market value and combinations thereof.(see column 14 lines 30-67 and column 15-33 lines 1-67 and column 39 lines 52-67 and column 40 lines 1-67).

Conclusion

3. The prior art of record and not relied upon is considered pertinent to Applicants disclosure.

 Liddy Eder (US Patent 6, 026, 388) teaches user interface and other enhancements for natural language information retrieval system and method.

 Kohorn US PATENT: 5, 508, 731) teaches generation of enlarged participatory broadcast audience.

4.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement B Graham whose telephone number is 703-305-1874. The examiner can normally be reached on 7am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung S. Sough can be reached on 703-308-0505. The fax phone numbers for the organization where this application or proceeding is assigned are 571-273-8300 for regular communications and 703-305-0040 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

FRANTZY POINVIL
PRIMARY EXAMINER